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## Periodic Review and Small Business Impact Review Report of Findings

<b>Agency name</b>	Commonwealth Transportation Board
<b>Virginia Administrative Code (VAC) Chapter citation(s)</b>	24 VAC30-551
<b>VAC Chapter title(s)</b>	Integrated Directional Signing Program (IDSP) Participation Criteria
<b>Date this document prepared</b>	8/26/2021

This information is required for executive branch review and the Virginia Registrar of Regulations, pursuant to the Virginia Administrative Process Act (APA), Executive Order 14 (as amended, July 16, 2018), the Regulations for Filing and Publishing Agency Regulations (1VAC7-10), and the *Form and Style Requirements for the Virginia Register of Regulations and Virginia Administrative Code*.

## Acronyms and Definitions

*Define all acronyms used in this Report, and any technical terms that are not also defined in the "Definitions" section of the regulation.*

- "CTB" means the Commonwealth Transportation Board.
- "IDSP" means the Integrated Directional Signage Program.
- "TODS" means Tourist-Oriented Directional Signs.
- "U.S.C." means the United States Code.

## Legal Basis

*Identify (1) the promulgating agency, and (2) the state and/or federal legal authority for the regulatory change, including the most relevant citations to the Code of Virginia or Acts of Assembly chapter number(s), if applicable. Your citation must include a specific provision, if any, authorizing the promulgating agency to regulate this specific subject or program, as well as a reference to the agency's overall regulatory authority.*

The Commonwealth Transportation Board has “the power and duty to make regulations that are not in conflict with the laws of the Commonwealth for the protection of and covering traffic on and for the use of systems of state highways” pursuant to § 33.2-210 of the *Code of Virginia*. Section 33.2-218 of the *Code of Virginia* authorizes the CTB to “establish reasonable fees to be collected by the Commissioner of Highways from any qualified entity for the purpose of participating in the Integrated Directional Sign Program (IDSP) administered by the Department or its agents that is designed to provide information to the motoring public relating to gasoline and motor vehicle services, food, lodging, attractions, or other categories as defined by the IDSP.”

Section 33.2-1220 of the *Code of Virginia* states that the CTB “may issue regulations and is authorized to enter into agreements with the United States as provided in 23 U.S.C. § 131 with respect to the regulation and control of signs, advertisements, and advertising structures in conformity with § 33.2-1217.” Signage under the IDSP is not comprised of advertisements, but rather consists of signage placed on the right of way that contributes to the public health, safety, and welfare by facilitating motorist awareness and accessibility, and providing a safe and convenient means of directing motorists, to historical, cultural, or commercial attractions/ services.

**Alternatives to Regulation**

*Describe any viable alternatives for achieving the purpose of the regulation that were considered as part of the periodic review. Include an explanation of why such alternatives were rejected and why this regulation is the least burdensome alternative available for achieving its purpose.*

No viable alternatives to the regulation were identified or considered as part of this periodic review.

**Public Comment**

*Summarize all comments received during the public comment period following the publication of the Notice of Periodic Review, and provide the agency response. Be sure to include all comments submitted: including those received on Town Hall, in a public hearing, or submitted directly to the agency. Indicate if an informal advisory group was formed for purposes of assisting in the periodic review.*

No Comments were received from the public during the public comment period.

Commenter	Comment	Agency response

**Effectiveness**

*Pursuant to § 2.2-4017 of the Code of Virginia, indicate whether the regulation meets the criteria set out in Executive Order 14 (as amended, July 16, 2018), including why the regulation is (a) necessary for the protection of public health, safety, and welfare, and (b) is clearly written and easily understandable.*

The Integrated Directional Signing Program (IDSP) contributes to the public health, safety, and welfare by facilitating motorist awareness and accessibility to historical, cultural, or commercial attractions. It consolidates four specific highway signing programs described below:

- Specific Travel Services (Logo) Signs: guide motorists to specific gas, food, lodging, camping and attraction locations along Virginia’s interstates and limited-access highways.

- Tourist-Oriented Directional Signs (TODS): a program for signs used along roads that do not have limited access, such as most primary and secondary highways, to guide motorists to businesses, services, recreation and other facilities nearby.
- Supplemental Guide Signs: guide motorists traveling from outside the immediate area to specific cultural, recreational, historical, governmental, educational, military and other sites of interest on limited access, primary or secondary roadways.
- General Motorist Services Logo Signs: use standard symbols or general terms to let motorists know that services such as hospitals, public phones, gas, food, lodging, or camping are nearby.

In addition, the IDSP incorporates special programs signing criteria for the following programs:

- Civil War Trails;
- Birding and Wildlife Trails;
- Wayfinding Signs;
- Winery Signage Program;
- Virginia Waterways Signage; and
- State Scenic River Signs

Further, additional criteria and considerations for the integration of the Winery Signage Program are addressed in the IDSP.

The IDSP criteria address issues such as: requirements businesses and other program participants must meet for eligibility, new categories for specific programs, and fee structures. The regulation is clearly written and easily understandable.

## Decision

*Explain the basis for the promulgating agency’s decision (retain the regulation as is without making changes, amend the regulation, or repeal the regulation).*

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The IDSP program contributes to the Commonwealth’s economy, and the regulation provides clear guidance on the use of the IDSP program. The CTB recommends retaining the regulation as is. VDOT is working to study the participation criteria based on HB1740 from the 2021 General Assembly Session. However, at this time, the study is not complete, and no recommendations have yet been made. The CTB will consider such recommendations and take appropriate action with respect to the regulation upon receipt of the study findings.

## Small Business Impact

*As required by § 2.2-4007.1 E and F of the Code of Virginia, discuss the agency’s consideration of: (1) the continued need for the regulation; (2) the nature of complaints or comments received concerning the regulation; (3) the complexity of the regulation; (4) the extent to which the regulation overlaps, duplicates, or conflicts with federal or state law or regulation; and (5) the length of time since the regulation has been evaluated or the degree to which technology, economic conditions, or other factors have changed in the area affected by the regulation. Also, discuss why the agency’s decision, consistent with applicable law, will minimize the economic impact of regulations on small businesses.*

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VDOT is working to study the IDSP participation criteria based on HB1740 from the 2021 General Assembly Session and pursuant to the study process, has received some comments regarding those criteria. However, at this time, the study is not complete, and no recommendations have yet been made. The regulation is not complex, nor does it conflict with federal or state law. The regulation was adopted in 2006 and has not been amended nor has it been the subject of a periodic review.

